

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3142
)	
v.)	
)	
JOSHUA LOUDERBACK,)	MEMORANDUM AND ORDER
)	
Defendant.)	
_____)	

After only two and a half months after his release on modified conditions, the defendant has filed a motion to remove the electronic monitoring component of his conditions of release. I am advised that neither the prosecutor nor the supervising officer oppose the change.

There is no information in the motion as to the extent of the defendant's compliance with the rules of the House for New Life, nor any information from its counselors or supervisors on the extent of defendant's participation or progress in their treatment regimen. Moreover, I am not inclined to lessen the restrictions on this defendant. His history includes allegedly deceptive actions in relation to advising his supervisors regarding his conditions of supervision. Given the nature of the original conviction and the nature of the allegations in the petition now pending, I do not take those matters lightly. While it is true that electronic monitoring does not track the defendant every hour of the day, it does establish some control, and assists his supervisors in monitoring his whereabouts. I shall leave it in place.

IT THEREFORE HEREBY IS ORDERED,

The motion, filing no. 56, is denied.

DATED this 28th day of April, 2009.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge